

Milwaukee Election Commission official Kimberly Zapata could face charges accusing her of fraudulently requesting military ballots

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Update: (Nov 4, 2022) Milwaukee Election Commission official Kimberly Zapata charged with felony and misdemeanor counts over fraudulent military ballots

A Milwaukee election official could face criminal charges accusing her of fraudulently requesting absentee ballots reserved for members of the military

and sending them to a Republican lawmaker known for embracing unfounded conspiracy theories about the 2020 election.

Milwaukee Election Commission Deputy Director Kimberly Zapata, 45, of Milwaukee was fired by Milwaukee Mayor Cavalier Johnson this week after Johnson discovered she had requested the ballots. Johnson said Zapata's actions may have been to show voter fraud was possible.

"This has every appearance of being an egregious and blatant violation of trust," Johnson said. **"Election integrity is absolutely integral. It's absolutely essential."**

Milwaukee County prosecutors are considering charging Zapata with malfeasance in office, a felony, and illegally requesting a ballot, a misdemeanor, a source told the Milwaukee Journal Sentinel.

District Attorney John Chisholm said in a statement his office is reviewing the election fraud allegations and that prosecutors "expect charges to be filed in the coming days."

Johnson held a news conference Thursday but left before reporters were finished asking questions about the matter.

Kimberly Zapata's actions revealed while Election Day 2022 draws near

The revelation comes five days before the Nov. 8 midterm election, a potentially explosive development at a time when Republicans have cast doubt on the security of absentee voting, and in Milwaukee in particular, ever since former President Donald Trump began falsely accusing Milwaukee election officials of rigging the 2020 election.

At Thursday's news conference, Johnson said he learned Wednesday that Zapata "apparently sought fictitious military ballots" from a state elections website and directed them to Brandtjen.

Commented [WT1]: In other words, trusting, concealing and ignoring voting system vulnerabilities is preferable to questioning, exposing and hardening them against fraud.

Commented [WT2]: Malfeasance:

1. Misconduct or wrongdoing, especially by a public official.

2. Evil-doing; the doing of that which ought not to be done; wrongful conduct, especially official misconduct; violation of a public trust or obligation; specifically, the doing of an act which is positively unlawful or wrongful, in contradistinction to misfeasance, or the doing of a lawful act in a wrongful manner. The term is often inappropriately used instead of misfeasance.

3. The doing of an act which a person ought not to do; evil conduct; an illegal deed.

Commented [WT3]: Janel Brandtjen, State Rep. Wisconsin



Zapata's actions may have been an effort to expose vulnerability in the state election system, he said.

"It does not matter to me that the alleged crime did not take place at work," he said. ***"It does not matter to me that the city of Milwaukee ballots were not a part of this, nor does it matter that there was no attempt to vote illegally or tamper with any election results."***

Michael Maistelman, who is representing Zapata, declined to answer questions.

"We will litigate this in the courtroom, not the media," said Maistelman, who often represents Democrats including Gov. Tony Evers.

City officials revoked Zapata's access to city offices and computer systems when they learned of her actions and she was fired, Johnson said.

He said while there is no other indication of violations by Zapata, city officials are "looking into the possibility of other misdeeds."

Who is Kimberly Zapata?

Zapata had been with the Election Commission for about seven years and the city about 10, Milwaukee Election Commission Executive Director Claire Woodall-Vogg said.

She was appointed deputy director of the Election Commission this summer.

"Up until this point, we have never had any indication of any type of violation of work policies or procedures," Woodall-Vogg said. "We, of course, will be taking an extra look at that, but up until this point she has been forthcoming and we don't have any indication of any concerns at this point. That's not to say that we won't be looking at every aspect of elections she's been involved in."

Johnson's spokesman, Jeff Fleming, said at this point the city Election Commission is leading the review but that others inside and outside city government are also expected to look into previous elections with which Zapata was involved.

He declined to answer questions about why Zapata apparently approached city officials, who she spoke with, and when the ballots were sent. Fleming instead directed questions to Maistelman or the district attorney's office, which declined to provide additional details about the case.

Asked how they learned of Zapata's actions, Woodall-Vogg said "the employee was forthcoming."

Under state law, military voters are not required to register to vote and do not have to provide photo ID or any other identification.

“It’s my belief that she was pointing out that you can go onto the public system, make up a person and request a ballot,” Woodall-Vogg said, adding that city officials’ understanding is that she sent it to Brandtjen to alert her to the system’s vulnerability.

Johnson said faith in Milwaukee’s elections should not be shaken because city officials were forthcoming about what had happened and Zapata was immediately fired.

At that point, he and Woodall-Vogg left as reporters shouted questions.

Zapata's termination means Woodall-Vogg will instead oversee the city's central count operation, where all the absentee ballots are tallied on Nov. 8.

Wisconsin Elections Commission administrator Meagan Wolfe said late Thursday no other ballots, beyond those in question, have been affected by Zapata's actions.

"This violation of trust cuts to the heart of election integrity, something that the Wisconsin Elections Commission and local election officials hold in the most serious regard," Wolfe said. "While the actions of this individual set us all back in our efforts to show Wisconsinites that our elections are run with integrity, I have every confidence the upcoming election will be fair and accurate."

"While this case understandably will receive a lot of attention, the fact remains that election fraud is extremely rare, and when it does occur, it is quickly discovered, and there are consequences."

Eight of Milwaukee’s 11 council members in a statement applauded Johnson’s decision to fire Zapata, calling her actions “shocking, sad and extremely disappointing.”

Commented [WT4]: An overtly incompetent Wisconsin Elections Commission, is itself a violation of trust that cuts to the heart of election integrity.

Commented [WT5]: Consequences? For who?

“Although she apparently did this outside of work and on her own time, that fact does NOT matter. Her actions leave a stain on the Election Commission and city government that is hurtful and unwarranted, but nonetheless damaging,” wrote Alds. Michael Murphy, Robert Bauman, Milele Coggs, JoCasta Zamarripa, Mark Borkowski, Scott Spiker and Marina Dimitrijevic, along with council President José G. Pérez.

Still, they wrote, they continued to have faith in the city's election workers, system and overall operation.

A Republican Party of Wisconsin spokesman said in a statement that election officials need to follow the law but also raised concerns about the state's online system where voters can request absentee ballots and more.

"The vulnerabilities that continue to be exposed in the MyVote system for requesting absentee ballots should be shocking to everyone," said party spokesman Chad Doran said.

State Rep. Janel Brandtjen contacted law enforcement after receiving three absentee ballots she did not request

On Monday, the Waukesha County Sheriff's Department announced it was investigating who requested absentee ballots on behalf of members of the military and had them sent to the home of state Rep. Janel Brandtjen of Menomonee Falls.

Brandtjen, who leads the Assembly's elections committee, said Monday she believed the episode involved someone copying the actions of a Racine County man who says he believes voter fraud robbed Donald Trump of a victory in 2020 and wanted to prove election fraud is possible.

On Thursday, Brandtjen suggested Zapata's actions shed light on problems that lawmakers need to address.

"We have uncovered so many issues that demand attention. I have been attacked by the liberal media, Democrats who benefit from the system, and Republicans who don't have the backbone to take on the issues, including Speaker Vos, who has referred to me as a conspiracy theorist," Brandtjen said, referring to Assembly Speaker Robin Vos.



Brandtjen said Monday she contacted law enforcement and former Supreme Court Justice Michael Gableman, who oversaw a partisan review of the 2020 election, after she received three ballots from clerks in Menomonee Falls, where Brandtjen lives, South Milwaukee and Shorewood to three different women with the first name Holly.

The Sheriff's Department is working with the Waukesha County district attorney to investigate, the department said Monday.

"We are still gathering the WEC data regarding Rep. Brandtjen's concerns that she outlined in her recent press release. We plan to work with our law enforcement partners as appropriate to address the allegations," Wisconsin Elections Commission spokesman Riley Vetterkind said in a statement on Monday.

Republican candidate for governor Tim Michels, who is endorsed by Trump and has endorsed his false claims about the 2020 election, said Thursday he would replace the Wisconsin Elections Commission with a "Wisconsin Election Integrity Group" that included members from the state's eight congressional districts, five of which are represented by Republicans.

Michels suggested he would not seek to eliminate the state's MyVote website for requesting absentee ballots, which Zapata and Wait used to commit election fraud.



More: In 2018 governor's race, Milwaukee absentee ballots took center stage. That could happen again in November.

More: How to register to vote, request an absentee ballot and answers to other questions about voting in Wisconsin

Before knowing who was at fault, Brandtjen characterized the episode as an effort to expose loopholes in election law, comparing it to crimes alleged against Harry Wait, a leader of a Racine County-based group known as H.O.T. Government that promotes false claims of voter fraud in the 2020 election.

Wait was charged earlier this year with two counts of election fraud and two counts of unauthorized use of an individual's personal identifying information for posing as Vos and Racine Mayor Cory Mason to request their ballots in order to show violations of the law are possible.

Before his first court appearance in the matter in September, Wait compared himself to founding fathers such as George Washington and Thomas Jefferson.

"My actions are in the spirit of organic law of this nation, upon which was founded taking action in civil disobedience," he told reporters in a news conference. "I have acted in a similar manner as the founder of this nation acted. For that reason, I am certain my actions are indeed both lawful and under organic law of the nation."

On Monday, a post in Wait's group's social media channel called Brandtjen a "patriot" for highlighting what the group calls problems with the state's system to request absentee ballots. To change the process for military members would require lawmakers to take action. Under state law, military members are exempt from registering to vote or providing photo identification.

After news broke Thursday about Zapata, Wait commended her. He wrote online that he saluted her "due to her efforts to expose more voting vulnerabilities in MyVote."

As chairwoman of the elections committee, Brandtjen has repeatedly held hearings promoting false claims of voter fraud and 2020 election conspiracy theories.

"If another Republican has committed election fraud, they should be prosecuted to the fullest extent of the law. I hope whoever did this is caught so we can send a clear message that this will not be tolerated," Democratic state Rep. Mark Spreitzer of Beloit, a member of the Assembly elections committee, said in a statement. "For obvious reasons, military voters need to be able to vote absentee, and we should not tolerate anyone who wants to make our service members pawns for their political agenda."

End of Article.

Link to original article:

<https://www.usatoday.com/story/news/politics/2022/11/03/mayor-says-milwaukee-election-worker-fired-over-ballot-fraud/69616108007/>

Take Note & be Warned

Note: Suffrage is no trivial matter, it's the cornerstone of legitimizing limited governmental authority over the people by consent.

Warning: Hell hath no fury like illegitimate authoritarian despots asserting ill derived authority, power and control.